

Message Text

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PAGE 01 PRETOR 01352 091403Z
ACTION AF-10

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 PM-05 H-01
 INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15
 USIA-06 MCT-01 HA-05 /078 W
 -----032924 100437Z /75

R 091325Z MAR 78
FM AMEMBASSY PRETORIA
TO SECSTATE WASHDC 670
INFO AMCONSUL CAPE TOWN
AMCONSUL DURBAN
USMISSION GENEVA
AMCONSUL JOHANNESBURG
USMISSION USUN NEW YORK

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CAPE TOWN FOR EMBASSY

E.O. 11652: N/A
TAGS: PINT, PINS, SHUM, SF
SUBJECT: PAC TERRORISM TRIAL

REF: PRETORIA 1064

1. ON FEBRUARY 28, JUSTICE CURLEWIS, PRESIDING OVER THE
PAN AFRICANIST CONGRESS (PAC) TERRORISM ACT TRIAL IN
BETHAL, GRANTED THE STATE'S APPLICATION FOR AN "IN CAMERA"
SESSION IN ORDER TO PROTECT THE IDENTITY OF BLACKS
TESTIFYING FOR THE STATE. THE APPLICATION STIPULATED
THAT THE PUBLIC GALLERY BE CLEARED AND THAT ONLY REPORTERS
WITH POLICE PRESS CARDS MAY BE PRESENT. CURLEWIS' RULING
FOLLOWED TESTIMONY BY SECURITY POLICE OFFICIALS FROM NATAL
AND THE TRANSVAAL TO THE EFFECT THAT STATE WITNESSES IN
SIMILAR TRIALS HAD LEGITIMATELY FEARED REPRISALS IF THEIR
NAMES WRE KNOWN TO THE PUBLIC.

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2. ACCORDING TO PRESS REPORTS, THE STATE BEGAN CALLING
THE FIRST OF 168 WITNESSES, MANY FORMER PAC MEMBERS,
IN EARLY MARCH. MOST OF THEIR TESTIMONY TO DATE HAS
CONSISTED OF ALLEGATIONS THAT ACCUSED NUMBER TWO, JOHN
GANYA, ATTEMPTED TO ESTABLISH GUERRILLA HIDEOUTS IN
WIDOW'S HOMES IN SOUTH AFRICA, AND WAS INVOLVED IN

SENDING MEN TO TANZANIA VIA SWAZILAND FOR MILITARY TRAINING. THE WITNESSES ALSO IMPLICATED SAM MALINGA AND DR. NABOATH NTSHUNTSHE, BOTH OF WHOM DIED IN DETENTION LAST YEAR, AS ACTIVE PARTICIPANTS IN PAC ACTIVITIES WITHIN SOUTH AFRICA.

3. DEFENSE ADVOCATE HARRY PITMAN CROSS-EXAMINED ONE WITNESS AS TO WHY HE DECIDED TO TESTIFY FOR THE STATE. PITMAN NOTED THAT THE WITNESS BELONGED TO THE PAC FOR 18 YEARS, SERVED FIVE YEARS ON ROBBER ISLAND FOR PAC ACTIVITIES, AND, ALTHOUGH RELUCTANTLY, ADMITTED ADMIRATION FOR THE LATE ROBERT SOBUKWE. THE WITNESS, ALREADY IN DETENTION FOR OVER 12 MONTHS, TOLD THE COURT "I THOUGHT OF MY AGE AND SUFFERING IN JAIL. I DECIDED TO FREE MYSELF AND GIVE EVIDENCE."

4. EMBASSY WILL TRY AND SEND OBSERVER TO BETHAL AGAIN DURING WEEK OF MARCH 13. PITMAN OFFERED TO MAKE SPECIAL APPLICATION TO COURT TO SECURE DIPLOMATIC OBSERVER'S ADMITTANCE.
BOWDLER

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Message Attributes

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Draft Date: 09 mar 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
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